

Message Text

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FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK

INFO AMEMBASSY TEL AVIV

UNCLAS STATE 084778

PASSPORT

E.O. 11652: N/A

TAGS: CPAS (MERON, DANIEL AND AMOS)

SUBJECT: NATIONALITY CASE

REF: UNCLASSIFIED USUN 1274, MARCH 30, 1976

1. DEPARTMENT DOES NOT NORMALLY MAKE DETERMINATION AS TO PERSON'S U.S. CITIZENSHIP ABSENT AN APPLICATION FOR A PASSPORT, REGISTRATION, OR OTHER DOCUMENTATION AS U.S. CITIZEN. WHETHER THE SUBJECTS ARE ISRAELI NATIONALS IS, OF COURSE, FOR THE GOVERNMENT OF ISRAEL TO DETERMINE.

2. HOWEVER, IF THE SUBJECTS' FATHER WAS ENTITLED TO FULL DIPLOMATIC IMMUNITY AS FIRST SECRETARY, PERMANENT MISSION OF ISRAEL TO U.N., AT THE TIME THE CHILDREN WERE BORN IN NEW YORK, THE DEPARTMENT BELIEVES THE FATHER'S IMMUNITY WOULD HAVE EXTENDED TO AND COVERED HIS MINOR CHILDREN AS PART OF HIS HOUSEHOLD. THEREFORE THE CHILDREN WOULD NOT HAVE BEEN BORN "SUBJECT TO THE JURISDICTION OF THE UNITED STATES", AND WOULD NOT HAVE ACQUIRED U.S. CITIZEN-
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SHIP AT BIRTH UNDER THE FOURTEENTH AMENDMENT.

3. SINCE THE CHILDREN'S IMMUNITY DERIVES FROM THEIR
DIPLOMAT FATHER, IT IS NOT NECESSARY TO DETERMINE THE PRI-

VILEGES AND IMMUNITIES ENJOYED BY THE MOTHER; THIS WOULD
NOT AFFECT THE CHILDREN'S STATUS IN ANY EVENT.

4. DEPARTMENT ASSUMES NEITHER PARENT IS DUAL U.S.-ISRAELI
CITIZEN. OTHERWISE CHILDREN MIGHT ACQUIRE U.S. CITIZENSHIP
THROUGH THE PARENTS.

5. IF OFFICIAL DETERMINATION AS TO CHILDREN'S CLAIM TO
U.S. CITIZENSHIP IS DESIRED, APPLICATION SHOULD BE MADE
FOR DOCUMENTATION, EITHER THROUGH PASSPORT AGENCY, IF
CHILDREN ARE IN U.S., OR AT U.S. EMBASSY OR CONSULATE

ABROAD, IF CHILDREN ARE ABROAD. ALTERNATIVELY, IF CHILDREN
ARE IN THE U.S., DETERMINATION OF CLAIM TO CITIZENSHIP
COULD BE SOUGHT FROM IMMIGRATION AND NATURALIZATION SERV-
ICE. SISCO

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